

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of WT Docket No. 05-235
Amendment of Part 97 of the Commission's Rules
To Implement WRC-03 Regulations Applicable to
Requirements for Operator Licenses in the Amateur Radio Service

TO: The Commission

REPLY COMMENTS, BY CHARLES I. Gehring (October 20, 2005)

I have reviewed the referenced Notice of Proposed Rulemaking and wish to submit the following comments. It is my belief that the stated objectives of the FCC will not be achieved through the proposed dropping of Element 1 CW testing and that the Element 1 test should be retained at least for the Amateur Extra class license.

For reference, the Commission has stated that it's objectives are “ (1) encourage individuals who are interested in communications technology, or who are able to contribute to the advancement of the radio art, to become amateur radio operators; (2) eliminate a requirement that we believe is now unnecessary and that may discourage amateur service licensees from advancing their skills in the communications and technical phases of amateur radio; and (3) promote more efficient use of the radio spectrum currently allocated to the amateur radio service.”

In reference to the first objective, it can be argued that those who are truly interested in communications technology should have a working knowledge of CW, since it represents the simplest form of communications technology. Saying that demonstrating a rudimentary knowledge of CW deters one from contributing to the advancement of the radio art is analogous to saying that demonstrating a knowledge of arithmetic deters one from becoming a mathematician. Indeed, a review of recent advances in amateur radio show that almost no advancement of the radio art has been accomplished by the group of Technician class licensees since the Element 1 testing requirement was dropped. A review of the amateur literature shows that almost all published advances and experimentation has been performed by those who passed some form of the Element 1

exam, even though Technicians without Element 1 testing form a significant percentage of licensed amateurs. The Commission has failed to explain or document how further reducing testing requirements will allow significant accomplishments from a group that to date has not contributed to advancements.

In the second stated objective, the Commission's belief that Element 1 testing is no longer needed is difficult to argue for or against, since beliefs are not usually based on facts. Indeed neither the Commission nor the various petitioners requesting the dropping of the Element 1 testing requirement presented data showing the validity of the conjecture or belief. If the determination of rules for the Amateur Radio Service is to be based mainly on beliefs, then the FCC is essentially saying that information is useless, that decisions have already been decided and these comments are a waste of time for both the commenters and the Commission. That does not appear to be in the best interest of the citizens of the US. Further to the second stated objective, it is difficult to see the relevance that Element 1 testing may somehow discourage amateurs from advancing their skills, since the ability to show a rudimentary knowledge of CW is indeed a skill in communications. The idea that knowing CW discourages advancement in the technical phases of amateur radio also seems to be without merit or logic. I have not ever seen a case where learning a skill has caused an inability to advance and attain other skills. Instead, the accomplishment of attaining a skill is often an impetus toward continuing to advance one's skills and abilities.

In reference to the third stated objective, the conjecture that dropping CW testing would lead to the more efficient use of amateur HF spectrum also defies logic in the most common meanings of efficiency. There is no doubt that CW allows more stations to be simultaneously active using lower power within a given bandwidth than most other modulation methods. A failure to actively encourage the use of the most narrow band communications modes cannot possibly lead to more efficient use of spectrum, but would seem to be an endorsement by the Commission of the use of wider band modes leading to over crowding of the bands and inefficient use of the available spectrum. The Commission's comments also referenced the conjecture by the NCVEC that Element 1 testing places a burden on the VEC's who administer the amateur exams. In the first place, since the VEC's and VE's are all volunteers, this should have no bearing on a decision to require an Element 1 exam. In addition, it should be the Commission's responsibility to request quantification of such claims. Unfortunately, it seems that the Commission did not address the validity of the NCVEC claim. In order to try to quantify the burden, I took the initiative to ask the NCVEC Chairman and Vice Chairman what tangible effect they foresee should Element 1 examinations be dropped. Specifically they were asked, "How much should the fees charged by the VEC's be reduced if the burden of Element 1 testing is removed?" As of the date of this comment, I have received no reply, but conversations with several VE's indicated that no reduction of fees would be forthcoming. If there is to be no reduction of fees and volunteers perform all testing, it is difficult to see that a real burden exists. It therefore seems that the statement that Element 1 testing is a burden cannot be substantiated. I recommend that the Commission require the quantification of such conjectures before using them in any decision. In the event that the Commissioners do indeed believe that Element 1 testing imposes a significant burden on the VEC's, it would seem to be prudent and in the best interest of citizens of the US that the Commission require a reduction in fees charged to examinees who do not take the

Element 1 examination.

In summary, it does not appear that any of the stated purposes for dropping Element 1 testing can be substantiated. I therefore recommend that the Commission reconsider it's proposal and retain Element 1 testing at least for Amateur Extra class licensees.

Respectfully Submitted,
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October 20, 2005